

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

11/6/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 04-00076SOM
CASE NAME: USA vs. Froilan Arellano Luga
ATTYS FOR PLA: Loretta Sheehan
William Donnelly, Jr. (FBI)
ATTYS FOR DEFT: G. Gary Singh
Malia Eversole (USPO)

JUDGE: Susan Oki Mollway

REPORTER: Debra Chun

DATE: 11/6/2006

TIME: 11:15 - 11:40

COURT ACTION: EP: Sentencing to Count 1 of the Indictment -

Defendant Froilan Arellano Luga present.

Court adopts the PSR and the USPO's recommendation, and they are placed under seal.

Defendant's employers, Tammy Tsuchiyama and Patty Heartlein, addressed the Court.

Allocution by the defendant.

ADJUDGED:

Imprisonment: 30 Months.

Supervised Release: 3 Years.

Special Assessment: \$100.00.

CONDITIONS:

- ▶ That the defendant shall abide by the standard conditions of supervision.
- ▶ That the defendant not commit any crimes, federal, state, or local (mandatory condition).
- ▶ That the defendant not possess illegal controlled substances (mandatory condition)
- ▶ That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ▶ That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision, unless there is a positive drug test, in which event the maximum shall increase to up to one valid drug test per day.
- ▶ That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ▶ That the defendant execute all financial disclosure forms, and provide the Probation Office access to any requested financial information.
- ▶ That the defendant participate in a mental health program, which includes taking all prescribed medication, at the discretion and direction of the Probation Office.
- ▶ That the defendant submit to removal proceedings, including deportation or exclusion as required by the Department of Homeland Security.

Memorandum of plea agreement is accepted by the Court.

Defendant advised of his right to appeal.

Mittimus is stayed for 1 hour.

The defendant is allowed to self surrender within 1 hour at the USM.

JUDICIAL RECOMMENDATIONS: 1) Lompoc; 2) Mental Health Treatment.

Submitted by: Toni Fujinaga, Courtroom Manager.

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